

Message Text

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TO AMEMBASSY BELGRADE PRIORITY

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E.O. 11652: N/A

TAGS: EAIR, YO

SUBJECT: CIVAIR: JAT SCHEDULED SERVICES TO US

REF: BELGRADE 6729

1. YUGOSLAV EMBASSY SUBMITTED FOLLOWING NOTE TO DEPT
DATED DECEMBER 18, 1975:

QUOTE: THE EMBASSY OF THE SOCIALIST FEDERAL REPUBLIC OF
YUGOSLAVIA PRESENTS ITS COMPLIMENTS TO THE DEPARTMENT OF
STATE AND HAS THE HONOR TO REITERATE THE CONTINUING
DESIRE OF THE GOVERNMENT OF THE SFR OF YUGOSLAVIA FOR
NEGOTIATIONS WITH THE GOVERNMENT OF THE UNITED STATES OF
AMERICA IN ORDER TO CONCLUDE THE AGREEMENT ON SCHEDULED
AIR SERVICES WHICH WILL ASSURE CONTINUED DEVELOPMENT OF
MUTUALLY BENEFICIAL AIR TRAVEL BETWEEN THE TWO COUNTRIES.

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THE EMBASSY HAS THE HONOR TO FORWARD HERewith ENCLOSED THE APPLICATION, PURSUANT TO SECTIONS 402 AND 801 OF THE FEDERAL AVIATION ACT, AS AMENDED, OF JUGOSLOVENSKI AEROTRANSPORT (JAT) FOR AMENDMENT OF ITS FOREIGN AIR CARRIER PERMIT TO ENABLE JUGOSLOVENSKI AEROTRANSPORT (JAT) TO CONDUCT SCHEDULED AIR SERVICES BETWEEN BELGRADE, YUGOSLAVIA, ZAGREB, YUGOSLAVIA AND NEW YORK, USA.

BEARING IN MIND THAT THE US FLAG CARRIER PAN AM, AS DESIGNATED AIRLINE IS OPERATING SCHEDULED AIR SERVICES BETWEEN THE UNITED STATES AND YUGOSLAVIA ON THE BASIS OF A TEMPORARY PERMIT, THE EMBASSY WOULD APPRECIATE THAT FAVORABLE CONSIDERATION BY THE GOVERNMENT OF THE UNITED STATES BE GRANTED TO THE REQUEST OF THE JAT FOR INTERIM SCHEDULED SERVICE AUTHORITY TO INITIATE OPERATION BY APRIL 1, 1976, PENDING THE CONCLUSION OF THE NEGOTIATIONS FOR A FORMAL BILATERAL AGREEMENT ON SCHEDULED AIR SERVICES.

THE EMBASSY OF THE SOCIALIST FEDERAL REPUBLIC OF YUGOSLAVIA AVAILS ITSELF OF THIS OPPORTUNITY TO RENEW TO THE DEPARTMENT OF STATE THE ASSURANCES OF ITS HIGHEST CONSIDERATION. END QUOTE.

2. BEFORE SUBMITTING ABOVE NOTE, OFFICIALS FROM YUGOSLAV EMBASSY AND JAT MET WITH DEPT OFFICIALS (OFFICE OF AVIATION) AND URGED PROMPT ACTION ON YUGOSLAV REQUEST FOR CIVIL TALKS AND ON JAT APPLICATION FOR FOREIGN AIR CARRIER PERMIT FROM CAB. YUGOSLAV OFFICIALS EXPLAINED THAT JAT WANTS TO BEGIN BELGRADE-ZAGREB-NEW YORK SERVICE IN APRIL 1976 AND IS HOPEFUL THAT, IF BILATERAL TALKS CANNOT BE HELD BEFORE THEN, AN INTERIM AGREEMENT CAN BE REACHED WHICH WOULD PERMIT JAT TO BEGIN ITS US SERVICE ON OR ABOUT THAT DATE. DEPT OFFICIALS INDICATED THAT SINCE SOME OF SAME ISSUES WOULD BE INVOLVED IN AN INTERIM AGREEMENT AS IN A FULL AGREEMENT, US WOULD HAVE TO EXAMINE THESE ISSUES. HOWEVER, DEPARTMENT DID NOT RULE OUT POSSIBILITY OF SOME TYPE OF INTERIM AGREEMENT PENDING NEGOTIATION OF A FULL AGREEMENT. WE AGAIN EXPLAINED THAT IT WOULD BE IMPOSSIBLE TO HOLD NEGOTIATIONS FOR A FULL AGREEMENT IN TIME FOR EARLY INAUGURATION JAT LIMITED OFFICIAL USE

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SCHEDULED SERVICE. JAT OFFICIALS ALSO STATED THAT THEY WERE MEETING WITH PAA OFFICIALS IN NEW YORK TO SEE WHAT CAN BE DONE TO FACILITATE PAA COMMERCIAL ACTIVITIES IN YUGOSLAVIA SUCH AS DINAR TICKET SALE PROBLEM.

3. IN LIGHT OF ABOVE, AMBASSADOR IN MEETING ON JANUARY 6TH MAY WISH TO MAKE FOLLOWING POINTS:

(A) US GOVERNMENT IS REVIEWING MARKET AND OTHER PERTINENT DATA WITH A VIEW TOWARDS REACHING A DECISION ON YUGOSLAV REQUEST FOR AN INTERIM ARRANGEMENT COVERING JAT'S SCHEDULED SERVICE TO US;

(B) USG IS FULLY AWARE OF STRONG YUGOSLAV INTEREST IN BEGINNING SERVICE IN APRIL. HOWEVER, WHILE US WILL MAKE EVERY EFFORT TO RESPOND FAVORABLY TO YUGOSLAV REQUEST FOR INTERIM ARRANGEMENT IN ORDER PERMIT EARLY

INAUGURATION JAT SCHEDULED SERVICE TO US, THE SHORT TIME REMAINING BEFORE APRIL 1 MAKES IT QUESTIONABLE WHETHER THE DETAILS OF AN INTERIM ARRANGEMENT AND THE ADMINISTRATIVE PROCESSES AT THE CAB IN CONNECTION WITH ISSUANCE OF A PERMIT CAN BE COMPLETED IN TIME.

4. AS FOR POINT 4C IN REFTTEL, THE ONLY CONDITIONS ON JAT'S RIGHTS UNDER NON-SCHEDULED AIR AGREEMENT PERTAINING TO PAA ARE CONTAINED IN ANNEX A, II SUB PARA (D) WHICH EXEMPTS JAT FLIGHTS ORIGINATING IN L.A. FROM THE UPLIFT RATIO AS LONG AS NO YUGOSLAV AIRLINE OPERATES SCHEDULED SERVICE TO THE US AND A US CARRIER OPERATES SCHEDULED SERVICE TO YUGOSLAVIA. THEREFORE, JAT SCHEDULED SERVICE TO THE US WOULD HAVE LITTLE IF ANY EFFECT ON ITS RIGHTS UNDER THE NON-SCHEDULED AGREEMENT.

AS FOR OTHER QUESTIONS IN PARA 4 OF REFTTEL, DEPT SUGGESTS AT THIS STAGE THAT AMBASSADOR REFRAIN FROM COMMENTING IN DEPTH ON THESE ISSUES, BUT HE MAY POINT OUT US AGENCIES WILL BE CAREFULLY ANALYZING PAA AND OTHER US CARRIER INTERESTS IN YUGOSLAVIA AND IN DOING SO WILL TAKE INTO CONSIDERATION DINAR TICKET SALE QUESTION AND ANY OTHER GOVERNMENTAL RESTRICTIONS ON US CARRIER LIMITED OFFICIAL USE

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OPERATIONS IN YUGOSLAVIA. INGERSOLL

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